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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/926,589	11/21/2001	Olivier Rousseaux	P67341US0	1439
136	7590	09/21/2004	EXAMINER	
JACOBSON HOLMAN PLLC 400 SEVENTH STREET N.W. SUITE 600 WASHINGTON, DC 20004			HARTLEY, MICHAEL G	
			ART UNIT	PAPER NUMBER
			1616	
DATE MAILED: 09/21/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

Response to Rule 312 Communication	Application No.	Applicant(s)	
	09/926,589	ROUSSEAU ET AL.	
	Examiner	Art Unit	
	Michael G. Hartley	1616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

1. The amendment filed on 17 June 2004 under 37 CFR 1.312 has been considered, and has been:

- a) entered.
- b) entered as directed to matters of form not affecting the scope of the invention.
- c) disapproved because the amendment was filed after the payment of the issue fee.
Any amendment filed after the date the issue fee is paid must be accompanied by a petition under 37 CFR 1.313(c)(1) and the required fee to withdraw the application from issue.
- d) disapproved. See explanation below.
- e) entered in part. See explanation below.

The request under 1.132 to include a completed form PTO-1449 that was alleged to be filed on January 22, 2002 is disapproved because the PTO's records do not support the filing of said PTO-1449 (IDS). There are no records in PALM or in the file history to support that said IDS was filed prior to the notice of allowance. Telephone calls were made to William Player, Applicant's representative, including on 9/13/2004, to request a Post card receipt as evidence of filing the IDS. Mr. Player could not provide a Post card receipt at this time. Since there is no evidence to support the filing of said IDS, the request has been disapproved.



GARY KUNZ
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 1600

Michael G. Hartley
Primary Examiner
Art Unit: 1616